



Voices from the Rwanda Tribunal

Official Transcript: Alex Obote Odora (Part 6 of 9)



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| Role: | Chief of Appeals |
| Country of Origin: | Uganda |
| Interview Date: | 22 October 2008 |
| Location: | Arusha, Tanzania |
| Interviewers: | Lisa P. Nathan John McKay |
| Videographer: | Nell Carden Grey |
| Interpreter: | None |

Interview Summary

Alex Obote Odora speaks about the responsibilities of African states in creating peace and stability in the Great Lakes region and across Africa. He talks about the importance of education in upholding human rights and the necessity for justice capacity building. Odora also offers his opinion on the quality of defense counsel, the implications of maintaining the highest international standards, and the need to delink criminal prosecutions from the broader goals of reconciliation.

The transcript of Part 6 begins on the following page.

Part 6

- 00:00 **John McKay:** There has been some – I, I know you must be aware that some in Rwanda believe that the, that the process here doesn't take into account really the, the survivors and, and the people of Rwanda who are in, in, still in pain and turmoil from the genocide.
- 00:19 **JM:** One of the criticisms I have heard is that, is that the, the whole process here is better than any that could be given in Rwanda or another country. In other words, why are the worst of the planners and the perpetrators of the genocide given, you know, excellent defense counsel, comfortable cells, three meals a day, access to computers and to television? Would you, would you care to comment on that?
- 00:49 I see where the criticism is coming from. I've got a two-pronged answer for that. The first part is, well, I agree up to a point in the sense that the international criminal justice system is very poor at providing audience or access to victims. The ICC has tried but very limited forum for participation of victims in criminal trial.
- 01:26 I think in future, we should create a situation where victims do not only come to give evidence – they are part, they should be parties to the proceedings. And I think the ICC is going towards the right way in trying to create conditions where victims do participate in criminal proceedings.
- 01:49 Where I disagree is that when you try to get, to set a good standard for respect for human rights, it is important that other countries that fall below that standard should improve and meet that standard.
- 02:08 Because here we are trying to lead the way forward. (___) the best way to do criminal prosecutions are these – before somebody is convicted, he's presumed to be innocent and should therefore be treated within all the normal respect for human rights standards.
- 02:25 Similarly, the standard in Rwanda should be made to rise to the level where these people should be treated well. That is why, when it came to the death penalty for example, when we argued with, with, with Rwanda to remove the death penalty for the cases that would be transferred to Rwanda, they, they did not only do that – they removed it across the board.
- 02:48 And I think that helped raise the standard of judicial system inside Rwanda itself. So we should use this high standard as a signpost, as a road map – that this is the correct way to go. And I do not see any criticism for that really. Maybe I'm being very naïve but I thought it's the right way to go – to set good standards and let every country strive to meet the standard and that will be fine.